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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mark Phillips

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EXAMINER

WOZNIAK, JAMES S

ART UNIT

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02/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/017,435	Applicant(s) PHILLIPS ET AL.	
	Examiner James S. Wozniak	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In response to the office action from 6/5/2007, the applicant has submitted an RCE, filed 12/5/2007, amending claim 1, while arguing to traverse the art rejection based on the amended limitation regarding invoking a generic dialog asset from the instance of the remote central repository in a deployment environment (*Amendment, Page 6*). The applicant's arguments have been fully considered but are moot with respect to the new grounds of rejection in view of Puerta ("*Supporting User-Centered Design of Adaptive User Interfaces Via Interface Models*," 1998).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 3-11, 16-24, and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Marx et al (*U.S. Patent: 6,173,266*) in view of Puerta ("*Supporting User-Centered Design of Adaptive User Interfaces via Interface Models*," 1998).

With respect to **Claim 1**, Marx discloses:

Utilizing at least one generic software component to develop a specific voice application, including invoking at least one generic dialog asset from a repository (*Col. 3, Lines 28-39; Col. 4, Lines 21-33; and Col. 6, Line 39- Col. 7, Line 3; an original predefined dialogue template used in a specific service, Col. 8, Lines 42-51; and dialogue template libraries and invoking default parameters in application development, Col. 17, Lines 7-20 and Fig. 8, Elements 810, 820, 830*);

Deploying the specific voice application in a deployment environment separate from the development environment (*development environment libraries and service environment library Fig. 8*), wherein the deployment includes an instance of the repository [*deployed services having default (generic) dialog templates from a baseline library (dialog instances in a service utilizing default baseline library settings that are not overridden, Col. 17, Lines 28-34) in the form of pre-recorded default prompts that are provided to a caller (Col. 4, Lines 41-43; and default apology prompts, Col. 20, Lines 42-57), default dialog configuration parameters (Col. 6, Lines 53-60), and default vocabularies (example of an implemented service conformation step using a default vocabulary, Col. 9, Lines 40-46; example of a standard default vocabulary across different services for responses that tend to be the same, Col. 11, Lines 49-55; use of a completely defined default vocabulary, Col. 18, Lines 47-56)*]; and

Invoking the at least one generic dialog asset from the repository in the deployment environment (*utilizing a predefined default dialogue module in a specific voice application service, Col. 6, Lines 53-60; Col. 8, Lines 42-51; and Col. 17, Lines 21-54*).

Although the speech application development system taught by Marx features default dialog modules used in a deployment environment and is further equipped with a means of

communicating with an external data source (*communication interface, Col. 5, Line 49- Col. 6, Line 8; and Fig. 3, Elements 320 and 322*), Marx does not explicitly teach that the external data source or host computer stores dialog assets that are utilized in development and deployment. Puerta, however, discloses a central server repository featuring dialog information that is accessible in both a development and runtime environment (*"The Paradigm of Model-Based Interface Development," Pages 1-2; and Fig. 1*).

Marx and Puerta are analogous art because they are from a similar field of endeavor in voice application design. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Marx with the central server repository taught by Puerta in order to enable the centralization, sharing, and reuse of interface design components (Puerta, Abstract and Pages 1-2).

With respect to **Claim 3**, Marx shows:

The deployment environment further comprises an application server (*computer containing the designed interactive voice application, Fig. 3*).

With respect to **Claim 4**, Marx recites:

The deployment environment further comprises a dialog control component (*Col. 6, Lines 61-64*).

With respect to **Claim 5**, Marx recites:

The deployment environment further comprises a dialog component (*Col. 6, Lines 53-60*).

With respect to **Claim 6**, Marx discloses:

The deployment environment further comprises a voice application services layer (*Col. 6, Lines 23-30*).

With respect to **Claim 7**, Marx discloses:

The deployment environment further comprises a rules integration layer (*Col. 13, Line 59- Col. 14, Line 8*).

With respect to **Claim 8**, Marx discloses:

The deployment environment further comprises a messaging layer (*Col. 20, Lines 33-41*).

With respect to **Claim 9**, Marx discloses:

The deployment environment further comprises a voice services layer (*Col. 6, Lines 23-30*).

With respect to **Claim 10**, Marx discloses:

The deployment environment further comprises a detail tracking layer (*Col. 14, Line 47- Col. 15, Line 5*).

With respect to **Claim 11**, Marx discloses:

The deployment environment further comprises an external system (*Col. 5, Lines 49-67*).

With respect to **Claim 16**, Marx discloses:

Utilizing one or more generic software components to develop a specific voice application further comprises utilizing one or more generic software components during a design phase to develop a specific voice application (*combined dialog modules, Col. 4, Lines 21-33; and Col. 8, Lines 19-51*).

With respect to **Claim 17**, Marx recites:

The design phase further comprises a dialog design phase (*dialog module ordering to create a call flow, Col. 8, Lines 19-51*).

With respect to **Claim 18**, Marx recites:

The design phase further comprises a voice coding phase (*Col. 16, Lines 11-25*).

With respect to **Claim 19**, Marx discloses:

The design phase further comprises a rules definition phase (*Col. 20, Lines 17-32; Col. 13, Lines 59-67*).

With respect to **Claim 20**, Marx recites:

The design phase further comprises a phase wherein custom prompts are generated (*Col. 12, Line 43- Col. 13, Line 10*).

With respect to **Claim 21**, Marx recites:

The design phase further comprises a phase wherein custom grammars are developed (*Col. 17, Lines 35-42; and Col. 18, Line 47- Col. 19, Line 7*).

With respect to **Claim 22**, Marx discloses:

The design phase further comprises a phase wherein standard prompts are utilized to generate the specific voice user interface (*Col. 18, Lines 30-45*).

With respect to **Claim 23**, Marx discloses:

The design phase further comprises a phase wherein standard grammars are used to generate the specific voice user interface (*Col. 18, Lines 47-56*).

With respect to **Claim 24**, Marx discloses:

The design phase further comprises a system test phase (*Col. 14, Lines 9-24*).

With respect to **Claim 36**, Marx discloses the use of a default dialog module, including voice data, in a deployment environment, as applied to claim 1, while Puerta teaches that dialog modules can be retrieved in a runtime environment from the central server repository ("*The Paradigm of Model-Based Interface Development*," *Pages 1-2; and Fig. 1*).

4. **Claims 2 and 12-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Marx et al in view of Puerta and further in view of Uppaluru (*U.S. Patent: 5,915,001*).

With respect to **Claim 2**, Marx in view of Puerta teaches the method for designing an interactive speech application utilizing a remote central repository as applied to Claim 1. Marx in view of Puerta does not specifically suggest that a deployment environment for the speech application utilizes a voice gateway, however, Uppaluru teaches the use of a voice gateway in an interactive voice response system (*Col. 4, Lines 38-51; and Col. 6, Lines 6-46*).

Marx, Puerta, and Uppaluru are analogous art because they are from a similar field of endeavor in interactive voice interface systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Marx in view of Puerta with the voice gateway taught by Uppaluru to provide a means of accessing additional Internet data through an interactive voice response system (*Uppaluru, Col. 1, Line 39- Col. 2, Line 19; Col. 4, Line 38- Col. 5, Line 2*).

With respect to **Claim 12**, Marx further discloses a speech recognition engine (*Col. 7, Lines 29-46*). Also, Uppaluru teaches a voice command interpreter (*Col. 6, Lines 24-46*).

With respect to **Claim 13**, Uppaluru further teaches a telephone interface (*Col. 6, Lines 24-30*).

With respect to **Claim 14**, Uppaluru teaches a means for providing prompts to a user (*Col. 6, Lines 24-46*, while Marx teaches that prompts may be generated using a speech synthesizer (*Col. 18, Lines 30-45*).

With respect to **Claim 15**, Uppaluru teaches ASR implemented at a voice gateway (*Col. 16, Line 50- Col. 18, Line 15*).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See PTO-892.

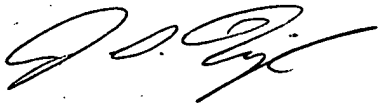
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James S. Wozniak
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